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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/606,129

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Paul E. Jacobs

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05/23/2006

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EXAMINER

TAN, ALVIN H

ART UNIT

PAPER NUMBER

2173

DATE MAILED: 05/23/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b> 10/606,129	<b>Applicant(s)</b> JACOBS ET AL.	
	<b>Examiner</b> Alvin H. Tan	<b>Art Unit</b> 2173	

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). If no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 03 March 2006.
- 2a) ☒ This action is **FINAL**.                      2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-52 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-52 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 03 March 2006 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)                                   | 4) <input type="checkbox"/> Interview Summary (PTO-413)                     |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)               | Paper No(s)/Mail Date. _____  |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date <u>3/3/06</u>  | 6) <input type="checkbox"/> Other: _____                                    |

## DETAILED ACTION

### ***Remarks***

1. Claims 1-52 have been examined and rejected. This Office action is responsive to the amendment filed on 3/3/06, which has been entered in the above identified application.

### ***Drawings***

2. The replacement sheet for Figures 2-6 submitted on 3/3/06 has been considered and is entered into the application.

3. The drawings are objected to as failing to comply with 37 CFR 1.84(p)(5) because they do not include the following reference sign(s) mentioned in the description:

- a. "402" mentioned in *[paragraph 18, page 3]*.
- b. "204", "304", "404", and "504" mentioned in *[paragraphs 16-19, page 3]*.
- c. "206" and "406" mentioned in *[paragraphs 16 and 18, page 3]*.
- d. "208", "308", and "508" mentioned in *[paragraphs 16, 17, and 19, page 3]*.
- e. "210" mentioned in *[paragraph 16, page 3]*.
- f. "314" and "514" mentioned *[paragraph 17 and 19, page 3]*.

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4. Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

#### ***Specification***

5. The correction(s) to the specification have been approved, and the objections to the specification are withdrawn.

#### ***Claim Rejections - 35 USC § 103***

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

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7. Claim 1-7, 14-20, 27-33, and 40-46 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hung (Pub No. US 2002/0087584) and Clark et al (US Patent No 6,725,228).

**Claims 1-7 (Method)**

**Claims 14-20 (Computer Readable Medium)**

**Claims 27-33 (Apparatus)**

**Claims 40-46**

7-1. Regarding claims 1, 14, 27, and 40, Hung teaches a method and system for organizing messages that arrive at a communication terminal or other machine. Hung teaches the claim of a method for transferring a document into a folder comprising identifying a portion of a document and transferring the document into a folder associated with the identified portion, by disclosing that upon the receipt of a message, the communication terminal may present a received-message to a user and may prompt the user to select an expression from the received-message, to be used to identify a new folder, such as an expression from the body of the message. A new folder may be created to store messages that match the expression selected by the user and may store the message and other matching messages in the folder *[paragraph 6]*.

Hung teaches that if no relevant folder exists to accept the identified portion of the document, a new folder will be created, by disclosing that if no match is found that satisfies a message-filter expression of any existing folder, a new folder is created for the message *[paragraph 74]*.

Hung teaches the invention on an exemplary machine shown in *[figure 2; paragraph 19]*.

Hung does not expressly teach the claim wherein if more than one portion of a same document is identified, the same document can be transferred into more than one folder associated with particular identified portions of the document. Clark teaches a similar invention that organizes messages into multiple folders based on the contents and attributes of the message *[column 4, lines 26-39]*. Clark's invention improves upon prior art by teaching that in the prior art, filtering rules cannot organize a message into multiple folders without creating multiple copies of the message *[column 2, lines 28-32]*. Thus, Clark teaches that the ability to organize a message into multiple folders using filtering rules is well known.

Since the invention of Hung allows multiple message filtering expressions to organize messages, it would have been obvious to one of ordinary skill in the art at the time the invention was made to include, in the system for organizing messages of Hung, transferring messages into multiple folders, as taught by Clark. Thus if a message meets more than one filtering expression, the message would be transferred to those particular folders. This would give the user more flexibility when organizing messages since the user would not be restricted to a single folder.

7-2. Regarding claims 2, 15, 28, and 41, Hung and Clark further teach the claim of the method wherein said identifying includes selecting a word within the document, by disclosing that the user can select a value from a text message *[Hung, paragraph 42]*.

7-3. Regarding claims 3, 16, 29, and 42, Hung and Clark further teach that the user can select at least one value from a text message [*Hung, column 42*]. The value may be a word, which is made up of several symbols. Thus, the invention is capable of selecting a symbol within the document if it selects a single letter word.

7-4. Regarding claims 4, 17, 30, and 43, Hung and Clark teach the invention substantially as claimed. Hung and Clark teach that words may be presented to the user, in which case, the user selects the word [*Hung, paragraph 43*]. The communication terminal may be a notebook computer [*Hung, paragraph 16*]. Hung and Clark further teach the claim of the method wherein said identifying includes clicking on the portion, by disclosing that a message client provides a user interface on a laptop computer [*Clark, column 12, lines 7-10*] and receives user input from the interface using an input device such as a mouse [*Clark, column 9, lines 30-35*].

It would have been obvious to one of ordinary skill in the art at the time the invention was made to include, in the system of organizing messages of Hung, the use of a mouse as an input device, as taught by Clark. The use of a mouse as an input device provides a more flexible input device for inputting commands. This would allow a user to select the word by clicking on it.

7-5. Regarding claims 5, 18, 31, and 44, Hung and Clark further teach the claim of the method wherein said identifying includes speaking the portion, by disclosing that input means includes a microphone [*Hung, paragraph 19, lines 11-15*].

7-6. Regarding claims 6, 19, 32, and 45, Hŭng and Clark further teach the claim of the method wherein said identifying includes touching the portion, by disclosing that input means includes a touch sensitive display [*Hung, paragraph 19, lines 11-15*].

7-7. Regarding claims 7, 20, 33, and 46, Hŭng and Clark further teach the claim of the method wherein the folder includes a pre-established folder, by disclosing that if the message satisfies an existing message-filter expression, the message may be stored in that folder [*Hung, paragraph 74*].

8. Claims 8-9, 21-22, 34-35, and 47-48 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hung (Pub No. US 2002/0087584) and Internet Explorer 5, as taught by Freeze ("Sams' Teach Yourself Microsoft Internet Explorer 5 in 24 Hours", 1999).

**Claims 8-9 (Method)**

**Claims 21-22 (Computer Readable Medium)**

**Claims 34-35 (Apparatus)**



**Claims 47-48**

8-1. Regarding claims 8, 21, 34, and 47, Hung teaches the invention substantially as claimed. See section 7-1. Hung does not expressly teach further indicating that the document is being transferred into the folder. Freeze teaches that Internet Explorer shows a download status screen when a document is being transferred to a computer *[page 392]*.

It would have been obvious to one of ordinary skill in the art at the time the invention was made to include, in the system for organizing messages of Hung, the use of a status screen to show the transfer of a document to a folder, as taught by Freeze. This would alert the user that a document is being transferred.

8-2. Regarding claims 9, 22, 35, and 48, Hung teaches the invention substantially as claimed. See section 7-1. Hung does not expressly teach the claim of the method further indicating that the document has been transferred to the second folder. Freeze teaches that Internet Explorer displays a message indicating that the transfer of a document to a folder has been completed *[page 393]*.

It would have been obvious to one of ordinary skill in the art at the time the invention was made to include, in the system for organizing messages of Hung, the use of message window to indicate that the transfer of a document to a folder has been completed, as taught by Freeze. This would alert the user that a document has been transferred.

9. Claims 10-13, 23-26, 36-39, and 49-52 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hung (Pub No. US 2002/0087584), Clark et al (US Patent No 6,725,228), and Internet Explorer 5, as taught by Freeze ("Sams' Teach Yourself Microsoft Internet Explorer 5 in 24 Hours", 1999).

**Claim 10-13 (Method)**

**Claim 23-26 (Computer Readable Medium)**

**Claim 36-39 (Apparatus)**

**Claim 49-52**

9-1. Regarding claims 10, 23, 36, and 49, Hung teaches the invention substantially as claimed. See section 7-1. Hung does not expressly teach transferring the document into a second folder associated with a second identified portion. Clark teaches a similar invention that organizes messages into multiple folders based on the contents and attributes of the message [*column 4, lines 26-39*]. Clark's invention improves upon prior art by teaching that in the prior art, filtering rules cannot organize a message into multiple folders without creating multiple copies of the message [*column 2, lines 28-32*]. Thus, Clark teaches that the ability to organize a message into multiple folders using filtering rules is well known.

It would have been obvious to one of ordinary skill in the art at the time the invention was made to include, in the system for organizing messages of Hung, transferring messages into multiple folders, as taught by Clark. This would give the user

more flexibility when organizing messages since the user would not be restricted to a single folder.

Hung does not expressly teach further indicating that the document is being transferred into the second folder. Freeze teaches that Internet Explorer shows a download status screen when a document is being transferred to a computer [page 392]. It would have been obvious to one of ordinary skill in the art at the time the invention was made to include, in the system for organizing messages of Hung, the use of a status screen to show the transfer of a document to a folder, as taught by Freeze. This would alert the user that a document is being transferred.

9-2. Regarding claims 11, 24, 37, and 50, Hung teaches the invention substantially as claimed. See section 7-1. Hung does not expressly teach transferring the document into a second folder associated with a second identified portion. Clark teaches a similar invention that organizes messages into multiple folders based on the contents and attributes of the message [column 4, lines 26-39]. Clark's invention improves upon prior art by teaching that in the prior art, filtering rules cannot organize a message into multiple folders without creating multiple copies of the message [column 2, lines 28-32]. Thus, Clark teaches that the ability to organize a message into multiple folders using filtering rules is well known.

It would have been obvious to one of ordinary skill in the art at the time the invention was made to include, in the system for organizing messages of Hung, transferring messages into multiple folders, as taught by Clark. This would give the user

more flexibility when organizing messages since the user would not be restricted to a single folder.

Hung does not expressly teach the claim of the method further indicating that the document has been transferred to the second folder. Freeze teaches that Internet Explorer displays a message indicating that the transfer of a document to a folder has been completed [page 393]. It would have been obvious to one of ordinary skill in the art at the time the invention was made to include, in the system for organizing messages of Hung, the use of message window to indicate that the transfer of a document to a folder has been completed, as taught by Freeze. This would alert the user that a document has been transferred.

9-3. Regarding claims 12-13, 25-26, 38-39, and 51-52, Hung, Clark, and Freeze teach the invention substantially as claimed. See section 9-2. Hung further teaches that the message may be stored in a pre-established folder or a newly created folder [paragraph 74].

### ***Response to Arguments***

10. The Examiner acknowledges the Applicants' amendments to claim(s) 1, 14, 27, and 40. Regarding independent claims 1, 14, 27, and 40, the Applicants allege that Hung (Pub. No. US 2002/0087584) as described in the previous Office action, does not explicitly teach "wherein if more than one portion of a same document is identified, the same document can be transferred into more than one folder associated with particular

identified portions of the document", as has been amended to the claims. Examiner has therefore rejected independent claims 1, 14, 27, and 40 under 35 U.S.C § 103 as being unpatentable over Hung and Clark et al (U.S. Patent No. 6,725,228). See section 7-1.

Applicants allege that neither Hung nor Clark teach that "if no relevant folder exists to accept the identified portion of the document, a new folder will be created", as has been amended. Hung, however, teaches that if no match is found that satisfies a message-filter expression of any existing folder, a new folder is created for the message [Hung, paragraph 74]. Consequently, and given the broadest, most reasonable interpretation of their claim language, Hung and Clark are considered to teach claims 1, 14, 27, and 40.

Applicant states that dependent claims 2-13, 15-26, 28-39, and 41-52 recite all the limitations of the independent claims, and thus, are allowable in view of the remarks set forth regarding independently amended claims 1, 14, 27, and 40. However, as discussed above, Hung and Clark are considered to teach claims 1, 14, 27, and 40, and consequently, claims 2-13, 15-26, 28-39, and 41-52 are rejected.

### ***Conclusion***

11. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

12. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Alvin H. Tan whose telephone number is 571-272-8595. The examiner can normally be reached on Mon-Thu 9:30-7 and alternating Fridays 9:30-7.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kristine Kincaid can be reached on 571-272-4063. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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**TADESSE HAILU**  
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